

**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION**

K-TEC, a Utah corporation, Plaintiff, v. VITA-MIX, an Ohio corporation, Defendant.	PERMANENT INJUNCTION Case No. 2:06-cv-00108-TC Judge Tena Campbell
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This matter comes before the Court after a jury trial held from June 7, 2010 to June 17, 2010. Prior to trial, the Court construed the disputed claim terms (Dkt. Nos. 358, 555) and granted summary judgment in favor of Plaintiff K-TEC, Inc. on several liability issues relating to infringement and validity. See Dkt. Nos. 443, 504, 529, 543, 555, 603. The issues of willful infringement, invalidity, and damages were tried to a jury, and the jury returned its verdict on June 17, 2010 finding claim 4 of U.S. Patent No. 6,979,117 and claims 1 and 9 of U.S. Patent No. 7,281,842 not invalid and finding Vita-Mix willfully infringed those claims. Dkt. No. 765. Having considered K-TEC's Motion For a Permanent Injunction and all related briefing and evidence, the Court hereby GRANTS the Motion and enters the following Permanent Injunction. IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

1. Vita-Mix Corporation, its privies, assignees, officers, agents, attorneys, employees, representatives, principals, and associates, and all those in active concert or participation with them who receive actual notice of this Injunction are permanently enjoined and restrained, collectively and individually,
 - a. from infringing claim 4 of U.S. Patent No. 6,979,117 by directly or

indirectly manufacturing, using, offering for sale or selling the Vita-Mix
MP container and XP container and any colorable imitations thereof;

- b. from infringing claims 1 and 9 of U.S. Patent No. 7,281,842 by directly or
indirectly manufacturing, using, offering for sale or selling the Vita-Mix
MP container and XP container and any colorable imitations thereof;

2. Vita-Mix Corporation shall send notice of this Injunction, by copy thereof, to all of their
present and past distributors, wholesalers, and manufacturers who currently sell or offer
for sale either the MP container or the XP container.

DATED this 26th day of January, 2011.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

TENA CAMPBELL
United States District Judge